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UNCLAS ROME 000981

SIPDIS

FROM FODAG

STATE FOR IO/EDA ROSE BERSTEIN AND L/UNA  
USAID FOR MIKE MIKLAUCIC

E.O. 12958: N/A

TAGS: [AORC](#) [EAID](#) [KDEM](#) [IDLI](#)

SUBJECT: IDLI ASSEMBLY OF MEMBER STATES: CHANGES TO  
CONSTITUTION

1. SUMMARY. THE INTERNATIONAL DEVELOPMENT LAW INSTITUTE  
(IDLI) ASSEMBLY OF MEMBER STATES WILL MEET MARCH 20,  
2002. THE MEMBER STATES WILL BE ASKED TO APPROVE TWO  
CHANGES TO IDLI'S BASIC STATUTES. MISSION RECOMMENDS  
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SUPPORT FOR THESE CHANGES. END SUMMARY.

2. THE IDLI ASSEMBLY OF MEMBER STATES WILL MEET MARCH  
20, 2002 IN ROME. MEMBERS WILL BE ASKED TO APPROVE TWO  
CHANGES TO IDLI'S "ESTABLISHMENT AGREEMENT" (FULL TEXT  
AND MEETING AGENDA FAXED TO IO/EDA ROSE BERSTEIN  
2/25/02):

1) CHANGE NAME TO INTERNATIONAL DEVELOPMENT LAW  
ORGANIZATION (VICE INSTITUTE) IN ORDER TO CORRECT COMMON  
MISPERCEPTION THAT IDLI IS CONNECTED TO AN ACADEMIC  
INSTITUTE.

2) PROVIDE A SPECIFIC MANDATE FOR RULE OF LAW AND GOOD  
GOVERNANCE: WHEN IDLI WAS FOUNDED 18 YEARS AGO, ASSISTING  
DEVELOPING COUNTRIES TO NEGOTIATE INTERNATIONAL  
COMMERCIAL AGREEMENTS WAS ITS PRIMARY FUNCTION. WHILE  
THIS REMAINS AN IMPORTANT PART OF IDLI'S WORK, THE LEGAL  
AND JUDICIAL REFORM AGENDA HAS PROVIDED NEW OPPORTUNITIES  
TO WORK ON RULE OF LAW AND GOOD GOVERNANCE IN PURSUIT OF  
SUSTAINABLE DEVELOPMENT. IDLI'S CURRENT WORK PROGRAM IS  
VERY MUCH ENGAGED IN RULE OF LAW ISSUES. THE PRESENT  
ESTABLISHMENT AGREEMENT IS BROAD ENOUGH TO ENCOMPASS WORK  
ON SUCH MATTERS, BUT THE IDLI BOARD OF DIRECTORS FELT  
THAT IDLI SHOULD HAVE A MORE SPECIFIC MANDATE IN ORDER TO  
PROVIDE LEADERSHIP IN ITS FIELD. THE PROPOSED CHANGES TO  
ARTICLE II (PURPOSES AND ACTIVITIES) MAKE THIS MANDATE  
CLEAR.

3. THE CHANGE WILL COME INTO EFFECT UPON RECEIPT BY THE  
DEPOSITARY OF NOTIFICATIONS BY A THREE-FOURTHS MAJORITY  
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OF STATE PARTIES TO THE ORIGINAL AGREEMENT THAT THE  
FORMALITIES REQUIRED BY THE NATIONAL LEGISLATION OF SUCH  
PARTIES WITH RESPECT TO THIS AMENDMENT HAVE BEEN  
ACCOMPLISHED.

4. UNLESS ADVISED OTHERWISE, MISOFF WILL REPRESENT USG  
AT THE ASSEMBLY OF MEMBER STATES AND WILL SUPPORT  
PROPOSED CHANGES TO IDLI ESTABLISHMENT AGREEMENT.  
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